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on January 11, 2001

Date of Deposit

Thomas J. Wrona

Name of applicant, assignee or  
Registered Representative

Signature

1/11/01  
Date of Signature

Our Case No. 8642/72

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nabel et al.

Serial No. 09/378,528

Filing Date: August 20, 1999

For: INHIBITION OF SMOOTH MUSCLE  
CELL MIGRATION BY HEME  
OXYGENASE I

)  
)  
)  
) Examiner: W. Sandals  
)  
) Group Art Unit No. 1636  
)  
) Batch No. T60  
)  
)  
)

### STATEMENT

OK to Enter

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants wish to bring to the attention of the Examiner that a Small Entity Statement was filed in this matter on October 10, 2000 (a copy is attached as Exhibit A). Therefore, the amount of the issue fee enclosed with this Statement and Issue Fee Transmittal. is \$650.00 (\$620.00 issue fee and \$30.00 for extra copy fee).

If the Examiner has any questions, please contact the undersigned patent agent for applicants.

10,00



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas J. Wrona", written over a horizontal line.

Thomas J. Wrona  
Registration No. 44,410  
Registered Patent Agent for Applicants.

BRINKS HOFER GILSON & LIONE  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) or Patentee: Gary J. Nabel and Elizabeth G. Nabel

Filed or Issued: August 20, 1999

For: Inhibition of Smooth Muscle Cell Migration by HEME Oxygenase I

Attorney Docket No: 8642/72

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: The Regents of the University of Michigan

ADDRESS OF ORGANIZATION: Technology Management Office  
Wolverine Tower, Room 2071  
3003 S. State St.  
Ann Arbor, Michigan 48109-1280

TYPE OF ORGANIZATION:

- ☒ University or other institution of higher education  
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))  
☐ Nonprofit scientific or educational under statute of state of The United States of America

(Name of state: \_\_\_\_\_)

(Citation of statute: \_\_\_\_\_)

- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3) if located in the United States of America  
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in the United States of America

(Name of state: \_\_\_\_\_)

(Citation of statute: \_\_\_\_\_)

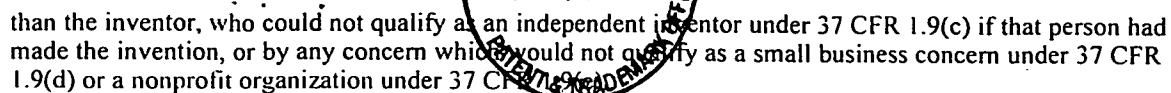
I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled

by inventor(s) Gary J. Nabel and Elizabeth G. Nabel described in

- ☐ the specification filed herewith  
☒ application serial no. 09/378,528 filed August 20, 1999  
☐ patent no. \_\_\_\_\_ issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other



\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
☐ Individual    ☐ Small Business Concern    ☐ Nonprofit Organization

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual    ☐ Small Business Concern    ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Marvin G. Parnes

Title in Organization: Associate Vice President for Research  
Interim Director, Technology Management Office

Address of Person Signing: Wolverine Tower, Room 2071  
3003 S. State Street  
Ann Arbor, Michigan 48109-1280

Signature: Maura D. Parmer Date: 10-5-00